

Serial No. 10/795,972
Attorney Docket No. 7045.46

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application:

Edward W. Jackson & Franklin D. Johnson

Serial No.: 10/795,972

Filed: March 8, 2004

For: CONCENTRIC HOPPER AND BURN CHAMBER FOR
SULPHUROUS ACID GENERATOR

Confirmation No: 8602

Group Art Unit: 1764

STATEMENT UNDER 37 C.F.R. § 5.25 OF TODD E. ZENGER

Commissioner of Patents
PO Box 1450
Arlington, Virginia 22313-1450

Sir:

The Declarant, Todd E. Zenger, states as follows:

1. I am the attorney of record of United States Patent Application Serial No. 10/795,972, filed March 8, 2004, entitled "Concentric Hopper and Burn Chamber for Sulphurous Acid Generator."

2. I am a citizen of the United States, and am over the age of 21 years of age, and make this Declaration without any force or compulsion.

3. On March 8, 2004, the subject application was filed. Corresponding applications were filed in Chile on March 17, 2004, and in Pakistan on March 20, 2004.

4. These applications were inadvertently filed abroad without deceptive intent, before obtaining a foreign filing license under 37 CFR § 5.11.

5. The subject of this pending application, and its Chilean and Pakistani applications, were not under a secrecy order at the time the applications were filed abroad. Similarly, none of them or the corresponding technology is currently under a secrecy order.

6. Shortly after filing the foreign applications, and upon receipt of correspondence from the United States Patent and Trademark Office on or about April 1, 2004, whereupon the U.S. application was reviewed for its filing particulars, we became aware of the inadvertent foreign filing without requesting or obtaining an expedited foreign filing license, as previously done in related cases. *See* Ex. 1. As a result, an application for expedited foreign filing was made within about ten days of discovering the error.

7. As indicated, similar technology has been filed abroad under appropriate licenses and the filing in this case prior to obtaining an expedited foreign filing license, was through error without deceptive intent.

I declare under penalty of perjury, the foregoing is true and correct.

DATED this 24th day of November, 2004.

Respectfully Submitted,



Todd E. Zenger
Attorney for Applicant
Registration No. 33,610

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENTS AND TRADEMARKS
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| SERIAL NUMBER | REQUEST DATE | FIRST NAMED APPLICANT | ATTORNEY | DOCKET NO. |
|---------------|--------------|-----------------------|----------|------------|
| P-92,742 | 7/25/97 | TODD E. ZENGER (PET.) | | 7045 0002 |

Title: **SULPHUROUS ACID GENERATOR**

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| Art Unit | Paper Number |
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Grant Date: 28-Jul-97

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[Title 35, United States Code (1952) Sections 184, 185, 186]

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FILING RECEIPT



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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTORNEY DOCKET NO. | DRWGS | TOT CL | IND CL |
|--------------------|-------------|--------------|---------------|---------------------|-------|--------|--------|
| 09/131,121 | 08/07/98 | 1754 | \$395.00 | | 5 | 3 | 1 |

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Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

EDWARD JACKSON, SALT LAKE, UT.

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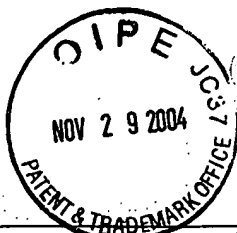
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TITLE

OPEN SYSTEM SULFUROUS ACID GENERATOR

PRELIMINARY CLASS: 423

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| SERIAL NUMBER | REQUEST DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|--------------|-----------------------|---------------------|
| P-102,881 | 8/28/00 | EDWARD W. JACKSON | 7045.10 |

Title: IMPROVED OPEN SYSTEM SULPHUROUS ACID
GENERATOR



Art Unit Paper Number
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LICENSING & REVIEW

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